



April 4, 2003

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## ENGROSSED HOUSE BILL No. 1325

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DIGEST OF HB 1325 (Updated April 1, 2003 2:40 PM - DI 106)

**Citations Affected:** IC 35-44; IC 35-47; noncode.

**Synopsis:** False complaints against police. Provides that making a false complaint against a law enforcement officer is a Class B misdemeanor. Makes pointing a laser pointer at a state police motor carrier inspector a Class B misdemeanor.

**Effective:** July 1, 2003.

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### Goodin, Koch

(SENATE SPONSOR — MEEKS C)

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January 14, 2003, read first time and referred to Committee on Courts and Criminal Code.  
February 6, 2003, amended, reported — Do Pass.  
February 11, 2003, read second time, ordered engrossed. Engrossed.  
February 13, 2003, read third time, passed. Yeas 90, nays 1.

SENATE ACTION

February 24, 2003, read first time and referred to Committee on Criminal, Civil and Public Policy.  
April 3, 2003, reported favorably — Do Pass.

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EH 1325—LS 7358/DI 105+



April 4, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1325

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 35-44-2-2, AS AMENDED BY P.L.123-2002,  
2 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2003]: Sec. 2. (a) As used in this section, "consumer product"  
4 has the meaning set forth in IC 35-45-8-1.

5 **(b) As used in this section, "misconduct" means a violation of a**  
6 **departmental rule or procedure of a law enforcement agency.**

7 ~~(b)~~ (c) A person who reports, by telephone, telegraph, mail, or other  
8 written or oral communication, that:

9 (1) the person or another person has placed or intends to place an  
10 explosive, a destructive device, or other destructive substance in  
11 a building or transportation facility;

12 (2) there has been or there will be tampering with a consumer  
13 product introduced into commerce; or

14 (3) there has been or will be placed or introduced a weapon of  
15 mass destruction in a building or a place of assembly;

16 knowing the report to be false commits false reporting, a Class D  
17 felony.

EH 1325—LS 7358/DI 105+



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(d) A person who:

(1) gives a false report of the commission of a crime or gives false information in the official investigation of the commission of a crime, knowing the report or information to be false;

(2) gives a false alarm of fire to the fire department of a governmental entity, knowing the alarm to be false;

(3) makes a false request for ambulance service to an ambulance service provider, knowing the request to be false; ~~or~~

(4) gives a false report concerning a missing child (as defined in IC 10-1-7-2) or gives false information in the official investigation of a missing child knowing the report or information to be false; **or**

**(5) makes a complaint against a law enforcement officer to the state or municipality (as defined in IC 8-1-13-3) that employs the officer:**

**(A) alleging the officer engaged in misconduct while performing the officer's duties; and**

**(B) knowing the complaint to be false;**

commits false informing, a Class B misdemeanor. However, the offense is a Class A misdemeanor if it substantially hinders any law enforcement process or if it results in harm to an innocent person.

SECTION 2. IC 35-47-4.5-4, AS ADDED BY P.L.70-2000, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. A person who knowingly or intentionally directs light amplified by the stimulated emission of radiation that is visible to the human eye or any other electromagnetic radiation from a laser pointer at a public safety officer **or a state police motor carrier inspector** without the consent of the public safety officer **or state police motor carrier inspector** commits a Class B misdemeanor.

SECTION 3. [EFFECTIVE JULY 1, 2003] **IC 35-44-2-2 and IC 35-47-4.5-4, both as amended by this act, apply only to offenses committed after June 30, 2003.**



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1325, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between lines 4 and 5, begin a new paragraph and insert:

**"(b) As used in this section, "misconduct" means a violation of a departmental rule or procedure of a law enforcement agency."**

Page 1, line 5, strike "(b)" and insert "(c)".

Page 1, line 16, strike "(c)" and insert "(d)".

and when so amended that said bill do pass.

(Reference is to HB 1325 as introduced.)

WEINZAPFEL, Chair

Committee Vote: yeas 11, nays 0.

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## COMMITTEE REPORT

Mr. President: The Senate Committee on Criminal, Civil and Public Policy, to which was referred House Bill No. 1325, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1325 as printed February 7, 2003.)

LONG, Chairperson

Committee Vote: Yeas 9, Nays 0.

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EH 1325—LS 7358/DI 105+

